IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

WP(C).No. 29086 of 2007(K)

PETITIONER:

M/S AYYAPPANKAVU CHITTIES (P)LTD.,
REPRESENTED BY ITS EXECUTIVE DIRECTOR,
SRI. P.E.SIVADASAN, S/O EKKANDAN, AGED 75 YEARS,
M/S AYYAPPANKAVU CHITTIES(P)LTD.,K.I.V.BUILDINGS,
CHITTOOR ROAD, AYYAPPANKAVU, KOCHI-682018.

BY ADV. SRI.C.K.PAVITHRAN

RESPONDENTS:

SRI. P.V.BHANU PILLAI,
S/O S.VASU PILLAI, AGED 55 YEARS,
RESIDING AT ALINGAPADATH HOUSE,
PALLIKKAVU ROAD, VADUTHALA, KOCHI-23.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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W.P.(C) No.29086 OF 2007

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Dated this the 3rd day of October, 2007

JUDGMENT

This writ petition is filed challenging the order of the I Addl.Munsiff's Court, Ernakulam in IA 1612/2007 in OS No.956/2006, whereby it did not entertain a draft publication produced for effecting service under Order V rule 20 C.P.C. It is quite unfortunate. It is the duty of the court to fix the date of hearing and the publication is to be done correctly and it is for that purpose a draft publication is produced before court for approval. Then it is being sent for paper publication. If the learned Munsiff has refused to entertain it, it is quite unfortunate and it requires correction under Article 227 of the Constitution of India.

Therefore, I direct the I Addl.Munsiff's Court, Ernakulam to accept the draft paper publication , fix a hearing date and find out whether it is in order and then direct the party to publish the same in the Daily in which it is ordered.

Writ petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-